



## 97TH GENERAL ASSEMBLY

### State of Illinois

2011 and 2012

SB2915

Introduced 2/1/2012, by Sen. M. Maggie Crotty

#### SYNOPSIS AS INTRODUCED:

110 ILCS 330/10 new  
210 ILCS 5/6.8 new  
210 ILCS 85/10.11 new

Amends the University of Illinois Hospital Act, the Ambulatory Surgical Treatment Center Act, and the Hospital Licensing Act. Provides that every hospital, including the University of Illinois Hospital, and every ambulatory surgical treatment center must employ a surgical technologist or contract for the services of a surgical technologist. Sets forth educational and certification requirements for such surgical technologists. Provides for a waiver of the requirement to employ or contract for the services of a surgical technologist under certain conditions. States that these provisions do not prohibit a facility from employing or contracting for the services of a surgical technologist who meets certain other criteria. Effective January 1, 2014.

LRB097 18271 DRJ 63497 b

FISCAL NOTE ACT  
MAY APPLY

STATE MANDATES  
ACT MAY REQUIRE  
REIMBURSEMENT

A BILL FOR

1 AN ACT concerning regulation.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The University of Illinois Hospital Act is  
5 amended by adding Section 10 as follows:

6 (110 ILCS 330/10 new)

7 Sec. 10. Employment of surgical technologist.

8 (a) For purposes of this Section, "surgical technologist"  
9 means a person who: (i) is not a physician licensed to practice  
10 medicine in all of its branches; (ii) performs duties, tasks,  
11 and functions under direct supervision, including, but not  
12 limited to, preparing the operating room for surgical  
13 procedures by ensuring that the surgical equipment is  
14 functioning properly and safely, preparing the operating room  
15 and sterile field using sterile technique, and performing, as  
16 directed, tasks at the sterile field to assist in the surgical  
17 procedure; (iii) provides such services in a licensed hospital;  
18 and (iv) as provided in subsection (b), has successfully  
19 completed requirements to practice as, and holds a current  
20 national certification as, a surgical technologist.

21 (b) Except as provided in subsection (c), the University of  
22 Illinois Hospital must employ or contract for the services of a  
23 surgical technologist who meets all of the following

1 requirements:

2 (1) The surgical technologist has successfully  
3 completed a nationally accredited surgical technology  
4 program.

5 (2) The surgical technologist has successfully  
6 completed all requirements to practice as a surgical  
7 technologist and holds and maintains current national  
8 certification as a surgical technologist from a nationally  
9 accredited certifying organization.

10 (c) The University of Illinois Hospital may employ or  
11 contract for the services of a surgical technologist who does  
12 not meet the requirements of subsection (b) if:

13 (1) After a diligent and thorough effort, the Hospital  
14 is unable to employ a sufficient number of persons who meet  
15 the requirements of subsection (b); and

16 (2) The Hospital makes a written record of its efforts  
17 under paragraph (1) and retains the record at the Hospital.

18 (d) Nothing in this Section prohibits the University of  
19 Illinois Hospital from employing as a surgical technologist a  
20 person who meets any of the following criteria or from  
21 contracting for the services of a person who meets any of the  
22 following criteria:

23 (1) The person is a licensed health care professional  
24 acting within the scope of his or her license.

25 (2) The person was employed to practice surgical  
26 technology on the effective date of this amendatory Act of

1 the 97th General Assembly.

2 (3) The person has successfully completed a surgical  
3 technologist program in the United States Army, Navy,  
4 Marine Corps, Air Force, or Coast Guard or in the United  
5 States Public Health Service Commissioned Corps.

6 Section 10. The Ambulatory Surgical Treatment Center Act is  
7 amended by adding Section 6.8 as follows:

8 (210 ILCS 5/6.8 new)

9 Sec. 6.8. Employment of surgical technologist.

10 (a) For purposes of this Section, "surgical technologist"  
11 means a person who: (i) is not a physician licensed to practice  
12 medicine in all of its branches; (ii) performs duties, tasks,  
13 and functions under direct supervision, including, but not  
14 limited to, preparing the operating room for surgical  
15 procedures by ensuring that the surgical equipment is  
16 functioning properly and safely, preparing the operating room  
17 and sterile field using sterile technique, and performing, as  
18 directed, tasks at the sterile field to assist in the surgical  
19 procedure; (iii) provides such services in a licensed hospital;  
20 and (iv) as provided in subsection (b), has successfully  
21 completed requirements to practice as, and holds a current  
22 national certification as, a surgical technologist.

23 (b) Except as provided in subsection (c), every ambulatory  
24 surgical treatment center must employ or contract for the

1 services of a surgical technologist who meets all of the  
2 following requirements:

3 (1) The surgical technologist has successfully  
4 completed a nationally accredited surgical technology  
5 program.

6 (2) The surgical technologist has successfully  
7 completed all requirements to practice as a surgical  
8 technologist and holds and maintains current national  
9 certification as a surgical technologist from a nationally  
10 accredited certifying organization.

11 (c) An ambulatory surgical treatment center may employ or  
12 contract for the services of a surgical technologist who does  
13 not meet the requirements of subsection (b) if:

14 (1) After a diligent and thorough effort, the  
15 ambulatory surgical treatment center is unable to employ a  
16 sufficient number of persons who meet the requirements of  
17 subsection (b); and

18 (2) The ambulatory surgical treatment center makes a  
19 written record of its efforts under paragraph (1) and  
20 retains the record at the ambulatory surgical treatment  
21 center.

22 (d) Nothing in this Section prohibits an ambulatory  
23 surgical treatment center from employing as a surgical  
24 technologist a person who meets any of the following criteria  
25 or from contracting for the services of a person who meets any  
26 of the following criteria:

1           (1) The person is a licensed health care professional  
2           acting within the scope of his or her license.

3           (2) The person was employed to practice surgical  
4           technology on the effective date of this amendatory Act of  
5           the 97th General Assembly.

6           (3) The person has successfully completed a surgical  
7           technologist program in the United States Army, Navy,  
8           Marine Corps, Air Force, or Coast Guard or in the United  
9           States Public Health Service Commissioned Corps.

10           Section 15. The Hospital Licensing Act is amended by adding  
11           Section 10.11 as follows:

12           (210 ILCS 85/10.11 new)

13           Sec. 10.11. Employment of surgical technologist.

14           (a) For purposes of this Section, "surgical technologist"  
15           means a person who: (i) is not a physician licensed to practice  
16           medicine in all of its branches; (ii) performs duties, tasks,  
17           and functions under direct supervision, including, but not  
18           limited to, preparing the operating room for surgical  
19           procedures by ensuring that the surgical equipment is  
20           functioning properly and safely, preparing the operating room  
21           and sterile field using sterile technique, and performing, as  
22           directed, tasks at the sterile field to assist in the surgical  
23           procedure; (iii) provides such services in a licensed hospital;  
24           and (iv) as provided in subsection (b), has successfully

1 completed requirements to practice as, and holds a current  
2 national certification as, a surgical technologist.

3 (b) Except as provided in subsection (c), every hospital  
4 must employ or contract for the services of a surgical  
5 technologist who meets all of the following requirements:

6 (1) The surgical technologist has successfully  
7 completed a nationally accredited surgical technology  
8 program.

9 (2) The surgical technologist has successfully  
10 completed all requirements to practice as a surgical  
11 technologist and holds and maintains current national  
12 certification as a surgical technologist from a nationally  
13 accredited certifying organization.

14 (c) A hospital may employ or contract for the services of a  
15 surgical technologist who does not meet the requirements of  
16 subsection (b) if:

17 (1) After a diligent and thorough effort, the hospital  
18 is unable to employ a sufficient number of persons who meet  
19 the requirements of subsection (b); and

20 (2) The hospital makes a written record of its efforts  
21 under paragraph (1) and retains the record at the hospital.

22 (d) Nothing in this Section prohibits a hospital from  
23 employing as a surgical technologist a person who meets any of  
24 the following criteria or from contracting for the services of  
25 a person who meets any of the following criteria:

26 (1) The person is a licensed health care professional

1 acting within the scope of his or her license.

2 (2) The person was employed to practice surgical  
3 technology on the effective date of this amendatory Act of  
4 the 97th General Assembly.

5 (3) The person has successfully completed a surgical  
6 technologist program in the United States Army, Navy,  
7 Marine Corps, Air Force, or Coast Guard or in the United  
8 States Public Health Service Commissioned Corps.

9 Section 99. Effective date. This Act takes effect January  
10 1, 2014.